

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ARBUTUS BIOPHARMA CORPORATION)	
and GENEVANT SCIENCES GMBH,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 22-252 (MSG)
)	
MODERNA, INC. and MODERNATX, INC.,)	
)	
Defendants.)	

**STIPULATION REGARDING MUTUAL EXCHANGE OF PREVIOUSLY SERVED
SUR-REPLY EXPERT REPORTS**

WHEREAS, the parties have met and conferred regarding service of certain sur-reply expert reports;

WHEREAS, the parties have agreed to a mutual exchange of certain limited sur-reply reports (the reports dated April 9, 15, and 16, 2025 by Robert Prud'homme, Ph.D. and Owen Shea Fenton, Ph.D.; and the report dated the April 18, 2025 by Niren Murthy, Ph.D.);

WHEREAS, to minimize disruption to the case schedule, the parties agree that it would be most efficient to permit the aforementioned sur-reply reports to be deemed as served;

IT IS HEREBY STIPULATED AND AGREED by the parties, subject to the approval of the Court, that the Sur-Reply Expert Reports of Robert Prud'homme, Ph.D. and Owen Shea Fenton, Ph.D. are deemed as served on Plaintiffs on April 9, 2025; the Second Sur-Reply Expert Reports of Dr. Prud'homme and Dr. Fenton are deemed as served on Plaintiffs on April 15, 2025 and April 16, 2025, respectively; and the Sur-Reply Expert Report of Niren Murthy, Ph.D. is deemed as served on Defendants on April 18, 2025. No other sur-reply expert reports shall be permitted absent approval of the Court. For clarity, the agreed-upon exchange of sur-reply reports addressed by this Stipulation are separate from Defendants' request to submit sur-reply expert

reports, as outlined in Defendants' April 24, 2025 Emergency Motion (D.I. 450), pending before the Court, which Plaintiffs continue to oppose, including because the stipulated reports here were exchanged in advance of the close of expert discovery and the relevant depositions unlike the ones Moderna requests in the pending motion.

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SO ORDERED this 25th day of June 2025.

/s/ Mitchell S. Goldberg

UNITED STATES DISTRICT JUDGE